

## **REMARKS**

Subsequent to the mailing of the PTO final action, dated July 28, 2005 (“the PTO action”), applicant executed a new power of attorney, dated May 18, 2006, in which the undersigned was granted a power of attorney. This is acknowledged in Confirmation No. 5210, a copy being mailed to the undersigned and to Mark D. Miller, applicant’s prior attorney of record, on June 12, 2006.

A sincere attempt was made in the foregoing amendment to place the applications in ready condition for allowance by cancelling all claims which were rejected under the recapture rule, under 35 U.S.C. §102, 35 U.S.C. §103, and 35 U.S.C. §112, all of which will be specifically pointed out in later portions of these remarks.

The only amendments to the claims submitted in this amendment are (a) to indent the separate elements or steps in certain claims pursuant to 37 C.F.R. §1.75(i) (suggested on page 5 of the PTO action); and to correct certain informalities specifically pointed out by the Examiner on pages 4-5 of the PTO action.

It should be pointed out that in connection with the Examiner’s requirement for indentation, in some cases a parent claim (for example, claim 1) required indentation due to a multiple number of elements in the claim; while a dependent claim (for example, claim 4) only recites a single element where no indentation is possible. Accordingly, while the Examiner objected to claim 4, for example, as lacking indentation, the objection in this situation is directed to the parent claim, so no specific amendment has been made to claim 4.

The same general situation arises in connection with the informalities. Here again, an informality pointed out by the Examiner in claim 19 effects a large number of claims depending on claim 19, such as claim 20, but no specific amendment is made in the amendment of claim 20,

because the objection is already taken care of by amending claim 19.

Finally, it should be noted that there is no convenient way of deleting language or adding language to a claim in a reissue application which was not in the parent patent. The entirety of such added claims are to be underlined. Accordingly, and by way of example, in claim 19, line 8, where the words “of the two” have been added, pursuant to the kindly suggestion of Examiner Hewitt, I have double underlined these words to indicate their addition. The same situation is thus in claims 35 and 36.

Summarizing the nature of the 75 claims in the case as of the date of final rejection:

Claims 1-12 were objected to solely for lack of indentation between the discrete elements. These claims have been amended to provide such indentation, and should be allowed.

Claims 13-15 stand allowed.

Claims 16-18 are cancelled.

Claims 19-25 were objected to for lack of indentation and for informalities. The foregoing amendment corrects both the these formal defects and should now be allowed.

Claim 26 is cancelled.

Claims 26-28 were objected to for lack of indentation and for informalities. The foregoing amendment corrects both of these formal defects and should now be allowed.

Claims 29-30 were objected to solely for lack of indentation. The foregoing amendment provides for such indentation.

Claims 31-32 were rejected solely for informalities. The claims have been amended as suggested by the Examiner, and should be allowed.

Claims 33-34 are cancelled.

Claims 35-36 were objected to for lack of indentation and for informalities. The

foregoing amendment correct both of these formal objections, and should now be allowed.

Claim 37 is cancelled.

Claims 38-40 were objected to solely for lack of indentation. The foregoing amendment should satisfy such objection.

Claim 41 was objected to for lack of indentation and for informalities. The above amendment resolves both of these matters.

Claims 42-43 were objected to solely on ground of lack of indentation. This has been overcome by the foregoing amendment.

Claim 44 is cancelled.

Claims 45-46 were objected to solely on the ground of lack of indentation, and has been overcome by this amendment.

Claim 47 is cancelled.

Claims 48-51 were objected to due to lack of indentation and for informalities, both of such grounds being taken care of in this amendment.

Claim 52 is cancelled.

Claims 53-54 were objected to on the lack of indentation and informalities – both taken care of in this amendment.

Claims 55-61 are allowed.

Claims 62-75 are cancelled.


Summarizing, all remaining claims in the application have already been allowed, or were objected to on procedural or formal grounds; i.e., lack of indentation between elements, or for the informalities pointed out by Examiner Hewitt. This amendment is believed to respond to all such indentation and informality requirements, so that the case can be promptly allowed, and

such action is earnestly requested.

If any additional information is required, the undersigned counsel is available to assist the PTO in expediting this case. If any further fees are required, authorization is given to charge such fees to my PTO Account No. 26-0265.

Respectfully submitted,

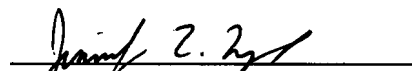
Dated: October 23, 2007

  
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 23, 2007.

Date: October 23, 2007

  
Jennifer L. Lynx